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## **MINUTES OF COUNCIL REGULAR MEETING – JUNE 10, 2008**

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THE WEST VALLEY CITY COUNCIL MET IN REGULAR SESSION ON TUESDAY, JUNE 10, 2008, AT 6:30 P.M. IN THE COUNCIL CHAMBERS, WEST VALLEY CITY HALL, 3600 CONSTITUTION BOULEVARD, WEST VALLEY CITY, UTAH. THE MEETING WAS CALLED TO ORDER BY MAYOR NORDFELT.

THE FOLLOWING MEMBERS WERE PRESENT:

Dennis J. Nordfelt  
Russ Brooks  
Carolynn Burt  
Joel Coleman  
Corey Rushton  
Mike Winder

Paul Isaac, Acting City Manager  
Sheri McKendrick, City Recorder

ABSENT: Steve Vincent

STAFF PRESENT:

Richard Catten, City Attorney  
Jim Welch, Finance Director  
Kevin Astill, Parks and Recreation Director  
John Evans, Fire Chief  
Russell Willardson, Public Works Director  
Joseph Moore, CED Director  
Buzz Nielsen, Police Chief  
John Janson, CED Department  
Aaron Crim, Administration  
Jake Arslanian, Public Works Department

**14080 OPENING CEREMONY**

The Opening Ceremony was conducted by Corey Rushton who played a country western music video with a patriotic theme and led the Pledge of Allegiance to the Flag.

**14081 APPROVAL OF MINUTES OF REGULAR MEETING HELD MAY 20, 2008**

The Council read and considered the Minutes of the Regular Meeting held May 20, 2008. There were no changes, corrections or deletions.

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After discussion, Councilmember Coleman moved to approve the Minutes of the Regular Meeting held May 20, 2008, as written. Councilmember Brooks seconded the motion.

A roll call vote was taken:

Mr. Brooks	Yes
Mr. Coleman	Yes
Ms. Burt	Yes
Mr. Winder	Yes
Mr. Rushton	Yes
Mayor Nordfelt	Yes

Unanimous.

### **14082      APPROVAL OF MINUTES OF REGULAR MEETING HELD MAY 27, 2008**

The Council read and considered the Minutes of the Regular Meeting held May 27, 2008. There were no changes, corrections or deletions.

After discussion, Councilmember Coleman moved to approve the Minutes of the Regular Meeting held May 27, 2008, as written. Councilmember Brooks seconded the motion.

A roll call vote was taken:

Mr. Brooks	Yes
Mr. Coleman	Yes
Ms. Burt	Yes
Mr. Winder	Yes
Mr. Rushton	Yes
Mayor Nordfelt	Yes

Unanimous.

### **14083      EMPLOYEE OF THE MONTH AWARD, JUNE, 2008 – ROBIN JACKS, FIRE DEPARTMENT**

Councilmember Winder read a nomination of Robin Jacks, Fire Department, to be awarded the Employee of the Month Award for June, 2008.

The City Council expressed appreciation and congratulated Ms. Jacks for her efforts on behalf of West Valley City.

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### **COMMENT PERIOD**

Upon inquiry by Mayor Nordfelt, the following individuals addressed the City Council during the Comment Period:

Renee Layton, 6408 South Highbluff Drive, addressed the City Council. Ms. Layton stated she represented many residents in the Diamond Summit Subdivision. She indicated there were serious issues in her subdivision, such as graffiti and lack of a police presence. She displayed photographs of fences located throughout the neighborhood which had been “tagged” with graffiti. She also stated two automobiles had been tagged. She indicated residents had taken it upon themselves to clean up the graffiti as quickly as possible; however, the taggers had come back within hours. She requested installation of lighting on 6200 South and stated there was no police presence in that area. Ms. Layton stated she was the neighborhood watch chair and had worked closely with the officer assigned to her neighborhood, but the officer was spread so thin he was not able to go to the subdivision which was located on the outskirts of the City. She advised residents took pride in their homes and yards, desired the neighborhood to be clean and respected, and to provide a good place to raise their children. Ms. Layton requested funding be made available as soon as possible for lighting and an increased police presence as this problem was the beginning of a neighborhood going downhill.

Mayor Nordfelt advised City staff was aware of and acting on the requests discussed by Ms. Layton. He indicated with creation of the new Community Preservation Department, it was hoped a positive impact would be realized in Diamond Summit Subdivision and other neighborhoods.

Ms. Layton stated there were many of her neighbors in attendance at the meeting. Upon inquiry by members of the City Council, Ms. Layton also indicated she was attempting to organize a mobile patrol in the neighborhood.

Rich Hales, resident living near West Lake Jr. High School on 3450 West, addressed the City Council. Mr. Hales expressed displeasure with speeders, noise from bass speakers, and other issues, occurring in his neighborhood. He stated our homes should be a sanctuary and this type of behavior should not be tolerated. He indicated if some of the small things were taken care of they would not become big things. He submitted a petition with signatures of concerned residents. Mr. Hales requested additional police presence in his neighborhood.

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Mayor Nordfelt stated the City was working with Salt Lake County regarding the noise ordinance that was applicable in all areas of the county. He advised it took specialized equipment to measure decibel levels.

Councilmember Coleman stated he had communicated with Mr. Hales for some time and there was a major problem in that area that might need some focused effort and extra resources for a short period of time to mitigate the problem.

14085

### **PUBLIC HEARING, APPLICATION NO. SV-1-2008, FILED BY WEST VALLEY CITY, REQUESTING A STREET VACATION FOR A PORTION OF MARKET STREET LOCATED TO THE SOUTH OF LEHMAN AVENUE AND EXTENDING SOUTH TO 3650 SOUTH**

Acting City Manager, Paul Isaac, stated a public hearing had been advertised in order for the City Council to hear and consider public comments regarding Application No. SV-1-2008, filed by West Valley City, requesting a street vacation for a portion of Market Street located to the south of Lehman Avenue and extending south to 3650 South. He discussed proposed Ordinance No. 08-28 related to the Application to be considered by the City Council subsequent to the public hearing, as follows:

Acting City Manager, Paul Isaac, presented proposed Ordinance No. 08-28 which would vacate a portion of Market Street located in West Valley City.

Mr. Isaac stated the proposal would vacate the right-of-way in anticipation of light rail, the bus hub and City Center plaza, all parts of the Intermodal Center. He also stated proposed improvements in the area would require the street vacation. He indicated the current location of Market Street would become a part of the bus hub, and plaza, with a small section crossed by the light rail project.

The Acting City Manager reported the vacated right-of-way would not adversely affect the credit union to the east as frontage and access requirements would still be satisfied. He stated although all issues related to the credit union had not been resolved, it was expected the site could be modified to provide sufficient access, especially for the drive-thru banking functions. He further stated it would be possible for the short term the drive-thru could exit through the City Hall parking lot.

Mr. Isaac indicated various properties to the west would also be included in the development plans, as noted above. He stated Utah Transit Authority (UTA) and the City had been negotiating the purchase of certain properties falling within the development site. He indicated the majority of the properties were owned by UTA and West Valley City.

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Mayor Nordfelt opened the public hearing. There being no one to speak either in favor or in opposition, Mayor Nordfelt closed the public hearing.

### **ACTION: ORDINANCE NO. 08-28, VACATING A PORTION OF MARKET STREET LOCATED IN WEST VALLEY CITY**

The Council previously held a public hearing regarding Application No. SV-1-2008 and proposed Ordinance No. 08-28 which would vacate a portion of Market Street located in West Valley City.

After discussion, Councilmember Coleman moved to approve Ordinance No. 08-28, an Ordinance Vacating a Portion of Market Street Located in West Valley City. Councilmember Brooks seconded the motion.

A roll call vote was taken:

Mr. Brooks	Yes
Mr. Coleman	Yes
Ms. Burt	No
Mr. Winder	Yes
Mr. Rushton	Yes
Mayor Nordfelt	Yes

Majority.

14086

### **PUBLIC HEARING, APPLICATION NO. SV-3-2008, FILED BY WEST VALLEY CITY ECONOMIC DEVELOPMENT DIVISION, REQUESTING TO VACATE A PORTION OF 1400 WEST STREET**

Acting City Manager, Paul Isaac, stated a public hearing had been advertised in order for the City Council to hear and consider public comments regarding Application No. SV-3-2008, filed by West Valley City Economic Development Division, requesting to vacate a portion of 1400 West Street. He discussed proposed Ordinance No. 08-29 related to the Application to be considered by the City Council subsequent to the public hearing, as follows:

Acting City Manager, Paul Isaac, presented proposed Ordinance No. 08-29 which would vacate a portion of 1400 West Street located in West Valley City.

Mr. Isaac stated the street proposed for vacation was located immediately to the west of Plaza Cycle. He indicated that over the past year, Plaza Cycle had expressed an interest in expanding their existing business. He explained the

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proposed expansion and economic benefit to the City had been the driving force behind the proposed street vacation.

The Acting City Manager reported the vacated right-of-way would not adversely affect adjacent businesses as frontage requirements and utility services would still be provided. He stated a new road to provide access to 3500 South had already been installed to replace the proposed vacated right-of-way.

Mayor Nordfelt opened the public hearing. There being no one to speak either in favor or in opposition, Mayor Nordfelt closed the public hearing.

### **ACTION: ORDINANCE NO. 08-29, VACATING A PORTION OF 1400 WEST STREET LOCATED IN WEST VALLEY CITY**

The Council previously held a public hearing regarding proposed Ordinance No. 08-29 which would vacate a portion of 1400 West Street located in West Valley City.

After discussion, Councilmember Burt moved to approve Ordinance No. 08-29, an Ordinance Vacating a Portion of 1400 West Street Located in West Valley City. Councilmember Winder seconded the motion.

A roll call vote was taken:

Mr. Brooks	Yes
Mr. Coleman	Yes
Ms. Burt	Yes
Mr. Winder	Yes
Mr. Rushton	Yes
Mayor Nordfelt	Yes

Unanimous.

14087

### **PUBLIC HEARING, APPLICATION NO. SV-5-2008, FILED BY WEST VALLEY CITY, REQUESTING A STREET VACATION OF HOMER STREET, AN IMPROVED STUB ROAD LOCATED AT 3610 SOUTH TO THE WEST OF MARKET STREET**

Acting City Manager, Paul Isaac, stated a public hearing had been advertised in order for the City Council to hear and consider public comments regarding Application No. SV-5-2008, filed by West Valley City, requesting a street vacation of Homer Street, an improved stub road located at 3610 South to the west of Market Street. He discussed proposed Ordinance No. 08-30 related to the

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Application to be considered by the City Council subsequent to the public hearing, as follows:

Acting City Manager, Paul Isaac, presented proposed Ordinance No. 08-30 which would vacate all of Homer Street located in West Valley City.

Mr. Isaac stated the subject road currently accessed the apartments located on the north and south sides of the street as well as the library to the west. He indicated Homer Street was a 50-foot wide street and approximately 150-feet long.

The Acting City Manager reported the proposal would vacate the street due to the anticipated bus hub, plaza, and track for the light rail station to be located in the area. He stated an informational neighborhood meeting had been held April 2, 2008, to discuss the vacation as well as plans for the Intermodal Center in the area. He reported about 30 people had attended that meeting. He also stated if vacated, the property would most likely become a portion of the bus hub and therefore, Utah Transit Authority (UTA) property. He reported anticipated demolition of the housing in the area had been scheduled for this summer. He stated the street would be kept open until after the apartments had been vacated. He also stated the street vacation was necessary for the transit improvements to function effectively.

Mayor Nordfelt opened the public hearing.

Mike Markham, business owner at 3536 South Market Street, addressed the City Council. Mr. Markham inquired regarding the timeline for vacation of Homer Street, if approved.

There being no one else to speak either in favor or in opposition, Mayor Nordfelt closed the public hearing.

### **ACTION: ORDINANCE NO. 08-30, VACATING ALL OF HOMER STREET LOCATED IN WEST VALLEY CITY**

The Council previously held a public hearing regarding proposed Ordinance No. 08-30 which would vacate all of Homer Street located in West Valley City.

After discussion, Councilmember Brooks moved to approve Ordinance No. 08-30, an Ordinance Vacating All of Homer Street Located in West Valley City. Councilmember Rushton seconded the motion.

A roll call vote was taken:

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Mr. Brooks	Yes
Mr. Coleman	Yes
Ms. Burt	Yes
Mr. Winder	Yes
Mr. Rushton	Yes
Mayor Nordfelt	Yes

Unanimous.

14088

### **PUBLIC HEARING, APPLICATION NO. SV-6-2008, FILED BY LLOYD LAYTON, REQUESTING TO VACATE AN UNIMPROVED ALLEY LOCATED AT APPROXIMATELY 3131 WEST 3180 SOUTH**

Acting City Manager, Paul Isaac, stated a public hearing had been advertised in order for the City Council to hear and consider public comments regarding Application No. SV-6-2008, filed by Lloyd Layton, requesting to vacate an unimproved alley located at approximately 3131 West 3180 South. He discussed proposed Ordinance No. 08-31 related to the Application to be considered by the City Council subsequent to the public hearing, as follows:

Acting City Manager, Paul Isaac, presented proposed Ordinance No. 08-31 which would vacate an unimproved alley located at approximately 3131 West 3180 South in West Valley City.

Mr. Isaac stated the proposed vacation would provide additional land for a future detached accessory structure on Mr. Layton's property. He further stated the alley to be vacated was located between Lots 529 and 530 of the Hillsdale #5 Subdivision. He indicated the plat had been recorded with the Salt Lake County Recorder's Office in March of 1955. As part of that plat, a six-foot alley was situated between the above mentioned lots. He stated staff believed the alley had been provided as a means to access property originally owned by the Granite School District.

The Acting City Manager reported the alley had never been improved, however, an access gate was installed in the existing chain link fence by Mr. Layton. He indicated an existing tree was located in what would be the middle of the alley.

Mr. Isaac stated vacating the alley would not adversely affect adjacent residents as the alley was never installed or used for access to the current Salt Lake County park. He indicated each adjacent property owner would end up with three feet. He reported Mr. Layton had expressed interest in acquiring the eastern three feet if the ordinance was approved. He also advised Mr. Layton would be responsible to coordinate the issue with the adjacent land owner.

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Mayor Nordfelt opened the public hearing.

Lloyd Layton, 3131 West 3180 South, applicant, addressed the City Council. Mr. Layton stated he had lived in his home for over 30 years. He discussed information regarding the alley which he found out in doing research on the property. He indicated his desire to build a garage on his property and during the permit process the alley issue had been raised. He stated he had made application to have the alley vacated in order to use some of the property for the garage. Mr. Layton requested approval and answered questions from members of the City Council.

There being no one else to speak either in favor or in opposition, Mayor Nordfelt closed the public hearing.

### **ACTION: ORDINANCE NO. 08-31, VACATING AN UNIMPROVED ALLEY LOCATED AT APPROXIMATELY 3131 WEST 3180 SOUTH IN WEST VALLEY CITY**

The Council previously held a public hearing regarding proposed Ordinance No. 08-31 which would vacate an unimproved alley located at approximately 3131 West 3180 South in West Valley City.

After discussion, Councilmember Coleman moved to approve Ordinance No. 08-31, an Ordinance Vacating an Unimproved Alley Located at Approximately 3131 West 3180 South in West Valley City. Councilmember Winder seconded the motion.

A roll call vote was taken:

Mr. Brooks	Yes
Mr. Coleman	Yes
Ms. Burt	Yes
Mr. Winder	Yes
Mr. Rushton	Yes
Mayor Nordfelt	Yes

Unanimous.

14089

**PUBLIC HEARING, APPLICATION NO. ZT-2-2008, FILED BY WEST VALLEY CITY, REQUESTING TO AMEND SECTIONS 7-6-1301 AND 7-6-1303 OF THE WEST VALLEY CITY CODE BY ELIMINATING MULTI-FAMILY RESIDENTIAL AS A POSSIBLE USE IN THE 'RB'**

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### ***ZONE (PUBLIC HEARING OPENED AND PUBLIC INPUT TAKEN AT REGULAR MEETING HELD MARCH 18, 2008; HEARING WAS NOT CLOSED AND ACTION ON PROPOSED ORDINANCE CONTINUED TO NO DATE CERTAIN)***

Acting City Manager, Paul Isaac, stated a public hearing had been advertised in order for the City Council to hear and consider public comments regarding Application No. ZT-2-2008, filed by West Valley City, requesting to amend Sections 7-6-1301 and 7-6-1303 of the West Valley City Code by eliminating Multi-Family Residential as a possible use in the 'RB' zone. He discussed proposed Ordinance No. 08-17 related to the Application to be considered by the City Council subsequent to the public hearing, as follows:

Acting City Manager, Paul Isaac, presented proposed Ordinance No. 08-17 which would amend Sections 7-6-1301 and 7-6-1303 of Title 7 of the West Valley City Municipal Code by eliminating Multi-Family Residential as a possible use in the 'RB' zone.

Mr. Isaac stated in light of public concerns over a recent senior housing development on the corner of 3100 South and 3600 West, the Council requested staff amend the ordinance relating to the 'RB' zone so the public would have an opportunity to provide input on similar projects in the future. He indicated staff presented a proposed ordinance amendment during the Study Meeting held March 11, 2008, defining senior housing and adding senior housing to the list of conditional uses in the 'RB' zone. After reviewing the proposed amendment, the Council continued the matter to no date certain during the Regular Meeting held March 18, 2008, to allow more time to study the subject ordinance amendment. He stated at the Council Study Session held on May 6, 2008, staff presented another ordinance proposal (as a discussion item) which would eliminate multi-family residential as a possible use in the 'RB' zone. He indicated after reviewing the latest proposal, the Council directed preparation of an ordinance amendment reflecting that proposal and requested time for consideration during a Regular Council Meeting.

Staff recommended, if the Council considered approval and as part of the motion, it be made clear the administrative determination that designated senior housing as a permitted use would no longer be valid.

Mr. Isaac advised and reiterated the public hearing had been opened and public input taken at the meeting referenced above; however, the hearing had not been closed, and action on the proposed ordinance had been continued to no date certain.

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Mayor Nordfelt reopened the public hearing.

Scott Warr, 3154 South 3600 West, addressed the City Council. Mr. Warr stated he had been interested in this issue from the beginning. He expressed appreciation for City staffs' efforts regarding amendments to the language of the subject ordinance. He indicated he was impressed with the minimal changes that were made to achieve what an 'RB' zone was supposed to be. Mr. Warr pointed out one thing regarding the subject ordinance that staff recommended it be made clear that the administrative determination that designated the senior housing as a permitted use would no longer be valid. He desired to enter in the minutes that the administrative determination was AD-3-2007.

There being no one else to speak either in favor or in opposition, Mayor Nordfelt closed the public hearing.

### **ACTION: ORDINANCE NO. 08-17, AMENDING SECTIONS 7-6-1301 AND 7-6-1303 OF TITLE 7 OF THE WEST VALLEY CITY MUNICIPAL CODE BY ELIMINATING MULTI-FAMILY RESIDENTIAL AS A POSSIBLE USE IN THE 'RB' ZONE**

The Council previously held a public hearing regarding Application No. ZT-2-2008 and proposed Ordinance No. 08-17 which would amend Sections 7-6-1301 and 7-6-1303 of Title 7 of the West Valley City Municipal Code by eliminating multi-family residential as a possible use in the 'RB' zone.

After discussion, Councilmember Coleman moved to approve Ordinance No. 08-17, an Ordinance Amending Sections 7-6-1301 and 7-6-1303 of Title 7 of the West Valley City Municipal Code by Eliminating Multi-Family Residential as a Possible Use in the 'RB' Zone. Councilmember Burt seconded the motion.

A roll call vote was taken:

Mr. Brooks	Yes
Mr. Coleman	Yes
Ms. Burt	Yes
Mr. Winder	Yes
Mr. Rushton	Yes
Mayor Nordfelt	Yes

Unanimous.

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## **MINUTES OF COUNCIL REGULAR MEETING – JUNE 10, 2008**

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14090      **ORDINANCE NO. 08-32, AMEND SECTION 7-31-104 OF TITLE 17 OF THE WEST VALLEY CITY MUNICIPAL CODE REGARDING PENALTY FEES FOR RENTAL DWELLING UNITS**

Acting City Manager, Paul Isaac, presented proposed Ordinance No. 08-32 which would amend Section 7-31-104 of Title 17 of the West Valley City Municipal Code regarding penalty fees for rental dwelling units.

Mr. Isaac stated it had been recommended language be amended in the Code to include “up to” on the fine amounts. He further stated research had been done on cases where fines were considered potentially “excessive” and it was based on this research that the recommended amendment be considered. He indicated including the text “up to” on the fines would allow the City Attorney’s Office to employ greater discretion in court or through settlement negotiations, and determine an appropriate fine amount for the gravity of the offense. He reported the notices of violation and administrative citations would still be issued for the full amount and the text would only affect those cases where other equitable factors were evidenced by the landlord.

After discussion, Councilmember Rushton moved to approve Ordinance No. 08-32, an Ordinance Amending Section 17-31-104 of Title 17 of the West Valley City Municipal Code Regarding Penalty Fees for Rental Dwelling Units. Councilmember Burt seconded the motion.

A roll call vote was taken:

Mr. Brooks	Yes
Mr. Coleman	Yes
Ms. Burt	Yes
Mr. Winder	Yes
Mr. Rushton	Yes
Mayor Nordfelt	Yes

Unanimous.

14091      **RESOLUTION NO. 08-158, APPROVE AGREEMENT WITH CONCENTRA INC. TO PROVIDE OCCUPATIONAL HEALTH SERVICES FOR CITY EMPLOYEES**

Acting City Manager, Paul Isaac, presented proposed Resolution No. 08-158 which would approve an Agreement with Concentra Inc. to provide occupational health services for City employees.

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Mr. Isaac stated the proposal would terminate a Service Agreement with Work Care as the City's medical provider and enter into a Service Agreement with Concentra for occupational health services.

The Acting City Manager reported Work Care had provided occupational medicine for City employees for many years. He also reported the physicians and staff had specialized training in recognizing and treating injuries and illnesses resulting from typical workplace exposures and had performed their duties in a satisfactory manner over the years. He explained that for a variety of reasons the City's workforce had demanded greater levels of cooperation with the medical provider. He stated the medical provider must be able to earn the employees' trust, not only crucial to recovery, but essential to cooperation.

Mr. Isaac stated Concentra Health Services, located in West Valley City, had provided occupational health services for over 27 years. He advised Concentra was highly qualified and well positioned to provide the clinical care, physical examination, drug/alcohol testing and physical ability testing required by the City. Most important, Concentra would integrate the City's return to work program to ensure competency, objectivity, and assist in advocating costly lost work time or time delays in identifying modified job duties for injured workers.

After discussion, Councilmember Burt moved to approve Resolution No. 08-158, a Resolution Authorizing the City to Enter into an Agreement with Concentra, Inc. to Provide Occupational Health Services for City Employees. Councilmember Winder seconded the motion.

A roll call vote was taken:

Mr. Brooks	Yes
Mr. Coleman	Yes
Ms. Burt	Yes
Mr. Winder	Yes
Mr. Rushton	Yes
Mayor Nordfelt	Yes

Unanimous.

14092

**RESOLUTION NO. 08-159, AUTHORIZE CITY TO EXECUTE A RIGHT-OF-WAY AGREEMENT WITH THE UTAH DEPARTMENT OF TRANSPORTATION AND AUTHORIZE EXECUTION OF A QUIT CLAIM DEED AND EASEMENTS FOR GRANGER PARK PROPERTY**

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### **IDENTIFIED AS PARCEL NUMBERS 0171:03, 03:2E, 03:3E, 03:E, 03:4E, 03:5E, 03:6E AND 03:7E**

Acting City Manager, Paul Isaac, presented proposed Resolution No. 08-159 which would authorize the City to execute a Right-of-Way Agreement with the Utah Department of Transportation (UDOT) and authorize execution of a Quit Claim Deed and Easements for Granger Park property identified as Parcel Numbers 0171:03, 03:2E, 03:3E, 03:E, 03:4E, 03:5E, 03:6E and 03:7E.

Mr. Isaac stated UDOT was widening 3500 South and needed to acquire a portion of Granger Park (15,653 square feet) as part of a project identified as SP-0171(18)6; 3500 South; Bangerter Highway to 2700 West Phase II. He further stated UDOT had prepared the necessary purchase agreement, quit claim deed and construction easements and had priced all exchanges at a rate accepted to the City at \$267,700.00.

The Acting City Manager indicated the widening of 3500 South required additional property on either side of the road. At Granger Park a wedged shape parcel of .36 acres was needed. It began at a point near Bangerter Highway and widened to approximately 38 feet by the time it reached the corner of 3600 West (plans had been attached to written information provided to the City Council). He stated in addition, sod, irrigation system, trees, sidewalks and other improvements would be removed.

Mr. Isaac stated UDOT recognized the value of the changes and proposed to pay the City \$194,059.00 for property and easements, \$38,925.00 for improvements taken and \$34,716.00 to replace all necessary improvements to restore the park. In addition, UDOT would pay up to \$4,500.00 additional for relocation of the Lions Cub sign on the property, if needed. He reported these prices had been reviewed by staff and seemed to be reasonable and fair. He also stated UDOT would pay the monies to the City and the City would be responsible to hire contractors to complete the restoration.

Upon discussion, Mayor Nordfelt stated there would be no harm in continuing this matter for two weeks due to other transactions with the Woodbury family and Granite School District.

After further discussion, Councilmember Winder moved to table proposed Resolution No. 08-159 and continue the matter to no date certain to allow time for resolution of other issues regarding Granger Park. Councilmember Burt seconded the motion.

A roll call vote was taken:

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Mr. Brooks	Yes
Mr. Coleman	Yes
Ms. Burt	Yes
Mr. Winder	Yes
Mr. Rushton	Yes
Mayor Nordfelt	Yes

Unanimous. Proposed Resolution No. 08-159 continued to no date certain.

14093

### **APPLICATION NO. S-5-2008, FILED BY IVORY HOMES, REQUESTING FINAL PLAT APPROVAL FOR Highbury Place Phase 4 SUBDIVISION LOCATED AT 2940 SOUTH 5225 WEST**

Acting City Manager, Paul Isaac, presented Application No. S-5-2008, filed by Ivory Homes, requesting final plat approval for Highbury Place Phase 4 Subdivision located at 2940 South 5225 West.

Mr. Isaac stated the subject phase consisted of 17 lots on 3.9 acres with lot sizes ranging from 6,610 square feet to 11,636 square feet. He further stated the average lot size would be approximately 8,250 square feet.

The Acting City Manager reported access to the subdivision would be gained from existing stub streets in Phase 2 to the north and west. All streets in the subdivision would be dedicated and consist of 54-foot rights-of-way, which would allow a five-foot park strip and five-foot sidewalk. He indicated Ivory Homes had submitted a tree planting plan for the entire Highbury Place Subdivision. He further stated Ivory would provide homeowners with a voucher to purchase said trees. He indicated the residential HOA (Homeowners Association) would ensure trees were planted according to the plan.

Mr. Isaac reported the subdivision was located to the north of the Valley Crest Elementary School. He stated that during the preliminary plat discussions, Ivory Homes committed to one, and possibly two, walkways to better access the school property. He stated after Ivory's discussions with the Granite School District, the District stated they would prefer one access as opposed to two. After evaluating the residential development planned for all of Highbury, it had been agreed the access should be on the west side of the school. Staff expected this location had been chosen as school children would also be coming from the higher density developments to the west.

Acting City Manager, Paul Isaac, stated Ivory Homes planned to install basements in all homes. He indicated a soils report had been prepared indicating

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groundwater had been encountered at a depth ranging from five to 10 feet below existing grades. He reported the finished grade elevations would be raised approximately two feet, making basements possible at this location. He stated Ivory would also install a sub-drain system to provide an extra measure of protection for new homeowners.

After discussion, Councilmember Coleman moved to approve Application No. S-5-2008, filed by Ivory Homes, and give final plat approval for Highbury Place – Phase 4 Subdivision located at 2940 South 5225 West. Councilmember Brooks seconded the motion.

A roll call vote was taken:

Mr. Brooks	Yes
Mr. Coleman	Yes
Ms. Burt	Yes
Mr. Winder	Yes
Mr. Rushton	Yes
Mayor Nordfelt	Yes

Unanimous.

14094

### **APPLICATION NO. SD-3-2008, FILED BY WEST VALLEY CITY ECONOMIC DEVELOPMENT DIVISION, REQUESTING CONSIDERATION TO DEDICATE A NEW RIGHT-OF-WAY AT 1400 WEST 3500 SOUTH**

Acting City Manager, Paul Isaac, presented Application No. SD-3-2008, filed by West Valley City Economic Development Division, requesting consideration to dedicate a new right-of-way at 1400 West 3500 South.

Mr. Isaac stated the subject road would replace the vacated portion immediately to the east and adjacent to the Plaza Cycle business. He further stated the new road had already been constructed just to the west of the original 1400 West Street. He indicated the new right-of-way would be 42-feet in width and provide a sidewalk on the east side.

After discussion, Councilmember Burt moved to approve Application No. SD-3-2008, filed by West Valley City Economic Development Division, and approve dedication of a new right-of-way at 1400 West 3500 South. Councilmember Coleman seconded the motion.

A roll call vote was taken:

# ***DRAFT***



# ***DRAFT***

## **MINUTES OF COUNCIL REGULAR MEETING – JUNE 10, 2008**

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Mr. Brooks	Yes
Mr. Coleman	Yes
Ms. Burt	Yes
Mr. Winder	Yes
Mr. Rushton	Yes
Mayor Nordfelt	Yes

Unanimous.

14095

### **CONSENT AGENDA SCHEDULED JUNE 10, 2008:**

**A. RESOLUTION NO. 08-160, ACCEPT A GRANT OF TEMPORARY CONSTRUCTION EASEMENT FROM THE FAMILY SUPPORT CENTER, A UTAH NON-PROFIT CORPORATION FOR PROPERTY LOCATED AT 3663 SOUTH 3600 WEST, 3600 WEST RECONSTRUCTION PHASE 2 PROJECT**

Acting City Manager, Paul Isaac, presented proposed Resolution No. 08-160 which would accept a Grant of Temporary Construction Easement from the Family Support Center, a Utah Non-profit Corporation, for property located at 3663 South 3600 West regarding the 3600 West Reconstruction Phase 2 Project.

Mr. Isaac stated the Family Support Center, a Utah Non-profit Corporation, had signed the Grant of Temporary Construction Easement.

The Acting City Manager reported the subject parcel was one of the properties affected by construction of 3600 West from 3500 South to 4100 South. He stated compensation for the easement would be in the amount of \$200.00, which easement would automatically expire December 31, 2008.

**B. RESOLUTION NO. 08-161, RATIFY CITY MANAGER'S REAPPOINTMENT OF DEAN TRUMP TO THE POLICE PROFESSIONAL STANDARDS REVIEW BOARD, TERM: JULY 1, 2008 – JULY 1, 2010**

Acting City Manager, Paul Isaac, presented proposed Resolution No. 08-161 which would ratify his reappointment of Dean Trump to the Police Professional Standards Review Board for the term July 1, 2008 through July 1, 2010.

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# ***DRAFT***

## **MINUTES OF COUNCIL REGULAR MEETING – JUNE 10, 2008**

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**C. RESOLUTION NO. 08-162, RATIFY CITY MANAGER'S REAPPOINTMENT OF JEANETTA WILLIAMS TO THE POLICE PROFESSIONAL STANDARDS REVIEW BOARD, TERM: JULY 1, 2008 – JULY 1, 2010**

Acting City Manager, Paul Isaac, presented proposed Resolution No. 08-162 which would ratify his reappointment of Jeanetta Williams to the Police Professional Standards Review Board for the term July 1, 2008 through July 1, 2010.

**D. RESOLUTION NO. 08-163, RATIFY CITY MANAGER'S REAPPOINTMENT OF AMALIA MOMBERGER TO THE POLICE PROFESSIONAL STANDARDS REVIEW BOARD, TERM: JULY 1, 2008 – JULY 1, 2010**

Acting City Manager, Paul Isaac, presented proposed Resolution No. 08-163 which would ratify his reappointment of Amalia Momberger to the Police Professional Standards Review Board for the term July 1, 2008 through July 1, 2010.

After discussion, Councilmember Coleman moved to approve Resolution Nos. 08-160, 08-161, 08-162, and 08-163 as presented on the Consent Agenda. Councilmember Rushton seconded the motion.

A roll call vote was taken:

Mr. Brooks	Yes
Mr. Coleman	Yes
Ms. Burt	Yes
Mr. Winder	Yes
Mr. Rushton	Yes
Mayor Nordfelt	Yes

Unanimous.

14096

**COMMUNICATIONS:**

Councilmember Brooks informed that he had recently discussed the Mountain View Corridor with certain legislators. Upon recommendation by Councilmember Brooks that the Council consider a resolution to vote tolling "up or down," the City Council expressed a consensus to add the item for discussion at the Study Meeting scheduled June 17, 2008, at 6:30 P.M.

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## **MINUTES OF COUNCIL REGULAR MEETING – JUNE 10, 2008**

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THERE BEING NO FURTHER BUSINESS OF THE WEST VALLEY CITY COUNCIL, THE REGULAR MEETING OF TUESDAY, JUNE 10, 2008, WAS ADJOURNED AT 7:25 P.M., BY MAYOR NORDFELT.

I hereby certify the foregoing to be a true, accurate and complete record of the proceedings of the Regular Meeting of the West Valley City Council held Tuesday, June 10, 2008.

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Sheri McKendrick, MMC  
City Recorder

# ***DRAFT***